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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,131	07/25/2001	Jeff Alan Rose	16356.640(DC-02925)	5738
27683 7590 02/08/2007 HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			EXAMINER SHORTLEDGE, THOMAS E	
			ART UNIT	PAPER NUMBER
			2626	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/915,131

Applicant(s)

ROSE, JEFF ALAN

Examiner

Thomas E. Shortledge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-15, 18-24 and 27-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-15, 18-24 and 27-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-3, 6-15, 18-24 and 27-29 are pending. Claims 4-5, 16-17 and 25-26 have been cancelled. Claims 4-5, 16-17 and 25-26 have been amended.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3, 6-15, 18-24 and 27-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 6-15, 18-24 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al. (6,938,152) in view of Levine et al. (6,732,159).

As to claim 1, Shin et al. teach:

a computer system including a basic input output system (BIOS) configured to provide a translation from a display information to a data pattern output for generating an audible output (*a computer with a BIOS, col. 4, lines 6-8 and 30-35, configured to output display information as sound via a speaker, col. 6, lines 50-61*), wherein, the BIOS translates the information to a data pattern, which data pattern is provided to the speech synthesizer (the BIOS locates in a sound memory, data corresponding to post information and outputs a sound signal stored in the booting sound memory to a speaker, col. 6, lines 51-61, where an initial booting process can be inspected only with sound, col. 6, lines 58-60);

the speech synthesizer configured to reproduce the data pattern with the audible output (the post data is outputted by the speaker as sound, col. 6, lines 51-61).

Shin et al. does not teach a serial speech synthesizer, detecting the speech synthesizer, nor the speech synthesizer coupled to the serial port.

However, Levine et al. teach a speech-synthesizer connected to a serial port, and recognizing an administration adapter, the administration adapter can be a speech-synthesizer, (col. 5, lines 27-35, col. 6, lines 2-6, and col. 12, lines 17-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the BIOS sound output with the serial speech-synthesizer of Levine et al. to enhance the ability of the system to route textual data to a speech synthesizer at the boot level and to increase the ability for a visually handicapped user to observe boot status, as taught by Levine et al. (col. 3, lines 5-11, and col. 12, lines 20-28).

As to claims 12 and 21, Shin et al. teach:

including a basic input output system (BIOS) (a computer with a BIOS, col. 4, lines 6-25);

displaying information associated with a pre-boot environment on a display associated with the computer system (displaying the post to a screen, col. 4, lines 50-55);

the BIOS translating the information to a data pattern output for generating an audible output (configured to output display information as sound via a speaker, col. 6, lines 50-61);

providing the data pattern from the BIS to the speech synthesizer, the speech synthesizer reproducing the pattern with one or more audible outputs associated with the information (the BIOS locates in a sound memory, data corresponding to post information and outputs a sound signal stored in the booting sound memory to a speaker, col. 6, lines 51-61).

Shin et al. does not teach output via a serial port, nor in response to detecting a serial speech synthesizer associated with the computer system and coupled to the serial port.

However, Levine et al. teach a speech-synthesizer connected to a serial port, and recognizing an administration adapter, the administration adapter can be a speech-synthesizer, (col. 5, lines 27-35, col. 6, lines 2-6, and col. 12, lines 17-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the BIOS sound output with the serial speech-synthesizer of Levine et al. to enhance the ability of the system to route textual data to a speech synthesizer at the boot level and to increase the ability for a visually handicapped user to observe boot status, as taught by Levine et al. (col. 3, lines 5-11, and col. 12, lines 20-28).

As to claims 2, 14 and 23, Shin et al. teach the computer system includes a memory location, and wherein the BIOS is configured to cause the computer system to store a predefined value in the memory location in response (a booting sound memory, storing the output sounds for the BIOS, col. 6, lines 51-61).

Shin et al. do not teach detecting the speech synthesizer.

However, Levine et al. teach a speech-synthesizer connected to a serial port, and recognizing an administration adapter, the administration adapter can be a speech-synthesizer, (col. 5, lines 27-35, col. 6, lines 2-6, and col. 12, lines 17-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the BIOS sound output with the serial speech-synthesizer of Levine et al. to enhance the ability of the system to route textual data to a speech synthesizer at the boot level and to increase the ability for a visually handicapped user to observe boot status, as taught by Levine et al. (col. 3, lines 5-11, and col. 12, lines 20-28).

As to claims 3, 15 and 24, Shin et al. do not teach the computer system includes a memory location, and wherein the BIOS is configured to detect the speech synthesizer by detecting a predefined value stored in the memory location.

However, Levine et al. teach the BIOS recognizes the administration adapter within its memory locations (col. 5, lines 25-30 and 13-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the BIOS sound output with the serial speech-synthesizer of Levine et al. to enhance the ability of the system to route textual data to a speech synthesizer at the boot level and to increase the ability for a visually handicapped user to observe boot status, as taught by Levine et al. (col. 3, lines 5-11, and col. 12, lines 20-28).

As to claims 6, 18 and 27, Shin et al. teach the computer system includes a table that includes a plurality of strings and a plurality of codes, wherein the information is associated with one or more of the plurality of strings, and wherein the BIOS causes one or more of the plurality of codes associated with the one or more plurality of strings to be provided to the speech synthesizer (a memory storing a booting sound unit, the booting sound controller receiving a driving signal from the BIOS outputs a sound signal stored in the booting sound memory via the speaker, col. 6, lines 51-61).

As to claims 7, 19 and 29, Shin et al. teach the computer system includes a Speech Synthesis Interface Library Table (a memory storing a booting sound unit,

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output as speech, col. 5, lines 53-60 and col. 6, lines 51-61, where it would be necessary that since booting sound is output as speech would have a table including a list of strings and matching codes to properly translate the inputted data using a data matching method).

As to claim 8, Shin et al. teach the computer system includes a speech synthesis module configured to convert the information into the signals (outputting the booting sounds as speech, col. 5, lines 53-60).

As to claim 9, Shin et al. teach the computer system includes the speech synthesizer (col. 5, lines 53-60).

As to claim 10, Shin et al. teach the computer system includes a sound card, and wherein the sound card includes the speech synthesizer (a sound controller and a speaker for outputting the booting sounds, col. 4, lines 10-12, col. 5, lines 50-60 and col. 6, lines 51-61).

As to claim 11, Shin et al. teach the audible outputs include sounds associated with a spoken language (col. 5, lines 50-60).

As to claims 13 and 22, Shin et al. teach providing one or more signals associated with the information to the speech synthesizer (a driving signal provided to

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the booting sound unit, col. 6, lines 51-61); and generating the one or more audible outputs in response to the one or more signals (the driving signal from the BIOS outputs a sound signal stored in the booting sound memory via the speaker, col. 6, lines 55-61).

Shin et al. does not teach detecting a serial speech synthesizer.

However, Levine et al. teach recognizing an administration adapter, the administration adapter can be a speech-synthesizer, (col. 5, lines 27-35, col. 6, lines 2-6, and col. 12, lines 17-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the BIOS sound output with the serial speech-synthesizer of Levine et al. to enhance the ability of the system to route textual data to a speech synthesizer at the boot level and to increase the ability for a visually handicapped user to observe boot status, as taught by Levine et al. (col. 3, lines 5-11, and col. 12, lines 20-28).

As to claims 20 and 29, Shin et al. teach generating the one or more audible outputs using a speech synthesis module stored on the computer system (a driving signal provided to the booting sound unit, col. 6, lines 51-61); and generating the one or more audible outputs in response to the one or more signals (the driving signal from the BIOS outputs a sound signal stored in the booting sound memory via the speaker, col. 6, lines 55-61).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas E. Shortledge whose telephone number is (571)272-7612. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TS
1/29/07



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SUPERVISORY PATENT EXAMINER